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TEACHER CREDENTIALING IN NATIVE AMERICAN LANGUAGES: STATE POLICIES AND IMPLICATIONS FOR LANGUAGE SURVIVAL

INTRODUCTION

This paper examines the role of sovereignty and language loss as factors in policies authorizing native speakers of indigenous tribal languages to become teachers of those languages. The focus is on Native American tribal groups in North America whose history and current political status inform the issues surrounding this topic. The current state of affairs for authorizing speakers of Native American languages to teach these languages is a result of two intersecting streams of policy in the US. One stream is the historical policy of cultural genocide against the native people of North America perpetrated by the US government since its inception (Churchill 2004). The second stream is the policy of credentialing educators to work in public schools at all levels, primary, secondary and university level. To understand the policies of many states, these historical trends must be understood. It is also important to recognize the special relationship that exists between Native American tribal governments and the US government, as unequal parties of negotiations. Individual states have historically not been legally capable of entering into treaties with Native American tribes, but they have been capable of entering into various types of agreements. For example, though federal recognition of tribes is the usual measure of recognition, some states have their own recognition procedure for Native American tribes. This is important for teacher credentialing because education is administered by states, and not the federal government. Thus we have a situation in which state laws on credentialing of teachers are being applied to Native Americans. The ways in which various states implement teacher authorization, which includes credentialing, licensing, certification, vary in the way they may seem to step over the boundary into federal territory of jurisdiction.

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The issues outlined above, analyzed in the context of language preservation and revival, are the focus of this paper. The intent of the state policies on authorization for Native American language speakers is to facilitate the teaching and learning of these languages within public schools. How we evaluate these policies therefore is on that basis. A successful policy will facilitate language transmission, whereas an unsuccessful one will not. Such policies reflect the recognition that languages should be taught in the school system (see Native American Language Act of 1990, California Assembly Bill 544, among others). While schoolroom language classes alone will not save languages on the brink of losing all their speakers, any and all opportunities to interact with a language is an important part of efforts to valorize and maintain it (McCoy 2005). State policies will either foster such opportunities or discourage them by keeping Native American language speakers out of the classroom as teachers. This is the reasoning behind creating alternatives to full teacher certification, licensing, or credentialing. For simplicity, I will hereafter use the general term „authorization" to refer to these terms as a whole. The degree to which such authorization is still controlled by the state rather than by Native American groups varies among different state policies. Sovereignty of the tribes is thus limited by a state agency which should not technically have the right to do so. Personal agency of Native American tribal members then may be pitted against state agencies. At stake is admission into the state school system, which from this point of view makes sense that state law should be the gatekeeper to. However, given the special historical circumstances of Native American groups, access to public institutions should be guaranteed and tailored to Native American needs. Again with this logic we are arriving at the need for authorization, a form of access to the public institution, which a number of states have implemented in the past 15 or more years.

We are left with the question, which this paper attempts to answer, are these state policies implementable and do their implementation result in the removal of barriers to the teaching of Native American languages in public education?

LITERATURE REVIEW

Given the approach taken in this paper, the relevant literature is drawn from a number of fields. The goal of analyzing state education policies from the point of view of Native American language revitalization makes this necessary. Of the various ways in which teachers are deemed qualified to engage in their profession, credentialing is often seen as the gold standard. Since what we are exploring is ways in which Native American language speakers are considered qualified to teach, issues of credentialing seem crucial. Thus sources from the field of education have been consulted. In addition, sources from the field of United States law have been brought to bear on the problematic requirement that tribes be federally recognized to have the authority to assess teachers' competencies. Finally

sources from the literature on Native American language preservation specifically are reviewed.

Credentialing as a means to ensure quality education is a topic often debated. L. Darling-Hammond *et alii* (2001) respond to a conclusion drawn by D. Goldhaber and D. J. Brewer (2000) that credentialing should be done away with. D. Goldhaber and D. J. Brewer (2000) base this conclusion on evidence that students taught mathematics and science by teachers with emergency credentials do just as well as students taught by traditionally credentialed teachers. L. Darling-Hammond *et alii* (2001) argue that the D. Goldhaber and D. J. Brewer (2000) results are a function of the fact that the teachers in question had essentially equivalent education to fully certified teachers. They conclude that they therefore represent a similar population in terms of academic training. One could make the point that expertise and engagement in one's subject area was the determining factor.

L. Darling-Hammond (2002) defends the importance of teacher credentialing again against another claim that denies credentialing is an assurance of quality teaching. K. Walsh (2001) asserts that credentialing is more of a barrier to getting teachers into the classroom than a tool to insure quality education. L. Darling-Hammond (2002) makes a strong case by systematically attacking Walsh's assertions as unfounded. What is strikingly revealed in these exchanges is the political nature of the credentialing process. While L. Darling-Hammond relies on good science to support her claims, Walsh appeals to the instinct that since there is a teacher shortage, access to the classroom should be made easier not harder. This instinct has resulted in alternative credentialing, which is examined in Cohen-Vogel, Smith 2007. Based on expertise in the field, a credential is issued to ease entry into the teaching profession. Findings are consistent with L. Darling-Hammond *et alii* (2001), that many who take this route already have essentially the prerequisites or have been in education before. Cohen-Vogel, Smith 2007 find that alternative credentialing has not significantly increased the numbers of teachers.

The position taken by K. Walsh (2001) and Cohen-Vogel, Smith 2007 could certainly be in principle favored by a number of Native American communities. It would be empowering to have speakers of their languages teach in schools without needing to appeal to state governments for permission to do so. Instead, a form of alternative authorization is generally what is required. What L. Darling-Hammond (2001) neglects to consider is the shortness of time for languages quickly losing speakers. This situation does not conform to the standard scenario. Walsh is simply irresponsible in advocating for unqualified teachers in the classroom when there is no real time constraint. Cohen-Vogel, Smith 2007 find the results of alternative certification underwhelming, yet to a potential Native American teacher, it may be the only way to access the classroom. While Native American language certification is a type of alternate certification it is different in many ways from what Cohen-Vogel, Smith 2007 are discussing. Their paper could have discussed it but failed to do so.

Sovereignty is the primary concern underlying the laws on education. The primary tool of control of legal sovereignty today is federal recognition. Federal recognition is required for any tribe to be considered to exist officially (Mather 2003). In the eyes of the law, a tribe that does not have federal recognition does not legally exist. This is an obstacle for a tribe's ability to operate fully in the United States. Many opportunities are closed to unrecognized tribes even in areas that are not administered by the federal government. In this paper, education is the area of concern. Though administered by the states, federal recognition is usually a requirement for entering into educational agreements with the states. Though this may seem like an acceptable arrangement, there are many problems with the implementation of federal recognition. The literature in this section provides history of eroded sovereignty (McSloy 1993, Churchill 2004) and a critique of federal recognition (Mather 2003, Paschal 1991).

Steven Paul McSloy (1993) outlines the history of eroding sovereignty through specific legal decisions. W. Churchill (2004) focuses on repression through education policies. C. Alva Mather (2003) explicitly explains the historical causes of the two tiered classification of Native Americans into federally recognized and nonrecognized tribes. C. Alva Mather also explains the legal and financial ramifications of being counted in one or the other tier. The process for obtaining recognition is also described. Finally in spite of difficulties, C. Alva Mather asserts that there is hope for unrecognized tribes to become federally recognized. The obvious criticism of this position comes from Mather's own descriptions of the financial and emotional cost of the process. Thus smaller tribes are likely to be shut out of the process. Steven Paul McSloy makes clear the political nature of impinging on Native American sovereignty by pointing out the lack of defensible legal grounding for their current status as wards of the state. Mather asserts that recognition petitions are routinely rejected on grounds of procedural technicalities to avoid having to rule on the substance of a claim (pp. 1828, 1843). R. Paschal (1991) provides evidence of how in recent history federal recognition processes have been fraught with inconsistencies and arbitrary standards. It is important to recognize that in the timeline of recognition, this document is still relevant. Many currently active petitions for federal recognition were initially submitted well prior to 1991 (http://500nations.com/tribes/Tribes_ Petitions.asp).

Literature that addresses some issues in Native American language teaching is widespread. Specific literature on the problems of the processes involved in qualifying teachers for work in Native American languages classroom is L. M. McCoy (2003) which lists many of the relevant state policies. Its updated version (McCoy 2005) includes additional commentary. Many of the issues raised this paper are addressed in the commentary. J. Pease-Pretty on Top (2003) addresses issues of immersion teaching rather than policy *per se*, but does describe the qualifications necessary for being a good teacher of Native American languages. These include a good sense of culture and language, as well as the ability to host

guest tribal experts in Native American knowledge as being key components of good education for Native Americans. Additionally, trips to important cultural sites are integral to language education. These represent a Native perspective on language which may be incompatible with the usual conception of classroom language instruction. Wayne E. Wright (2007) addresses the damaging effect of No Child Left Behind on heritage language programs including Navajo. This paper, however, does not frame the issue in terms of a violation of Navajo sovereignty through the implementation of this national program. This incompatibility between the federal government's stated support of Native American language preservation and its imposition of an education agenda is emblematic of the way Native American interests have been sidelined throughout US history.

BACKGROUND: HISTORICAL POLICY TOWARDS NATIVE AMERICAN GROUPS

The history of US repression of Native American cultures and languages is long and tragic and will not be recounted here for lack of space (see Churchill 2004 for an excellent account). However, I will outline certain important events relevant to our discussion. The US government has approached policy towards Native Americans from basically two perspectives. In one, Native American groups can coexist within the United States and be treated as sovereign nations. In the other, Native American groups are an anachronism and they must be disbanded and integrated into mainstream US culture (McSloy 1993). A legal/political/ideological point often associated with the latter is that the US does not recognize group rights and group ownership, but rather is a nation of individuals with individual property rights. This is incompatible with the traditional Native American point of view that no-one can own the land and that groups are the units in which Native Americans organize themselves and that language is a mark of group identity and culture. This clash of ideologies, overtly expressed individualism in the US and inherent collectivism in Native Americans has played out in two US policies, allotment and termination, which sought to extinguish traditional identities.

The 1887 policy of General Allotment, also known as the Dawes Act (McSloy 1993, p. 247) was a direct imposition of the individual property credo/percept/ ideology onto native American groups. Up until allotment, many groups had been living on reservations which consisted of much reduced areas mostly corresponding to their traditional home ranges. The land was used by the group. This was incompatible with individualism, so each family was allotted, in principle, 160 acres. This land was then often sold or simply lost due to failure to pay taxes. In any case it was a serious affront to Native American sovereignty with no basis in US law (McSloy 1992).

Allotment reduced the areas under Native American ownership to a small fraction of the tribes' original lands. The next assault on Native American identity was the policy of „termination" which involved several pieces of legislation

including the 1953 House Concurrent Resolution 108 and Public Law 280 (McSloy 1993). This was to be the final solution for Native American culture. Native Americans would now be considered normal citizens on par with all other Americans. Some tribal governments would become county governments (McSloy 1993). Reasoning that Native Americans had been given the tools and the time to become mainstream Americans, the US government started removing legal status to Native American tribes. This move was ultimately stopped, but not before a large number of groups or „tribes" had been terminated. Appeals for the reversal of termination and the need to petition for federal recognition are the legacy of this policy. The result is that today there are two classifications of Native American groups: federally recognized and unrecognized tribes (Mather 2003), though there are also a few state recognized tribes. This distinction has direct implications for some state teacher authorization policies.

ANALYSIS

In assessing state policies I will be focusing on the following questions:

1. Who do the policies exclude?
2. What is the balance of power mandated/proposed/inferred by the policy?
3. Whose voice does the policy reflect / Who is given a voice in the policy?
4. Given the time pressures inherent in saving languages, does the policy do enough to facilitate Native American language speakers' access to the classroom?

The distinction between questions 2 and 3 is that where in 2 the policy is already written and, as written, results in a certain balance of power, an assignment of authority, which will be manifested by the application of the policy. Point 3 is more focused on the crafting of the policy and the source of the decisions to include particular requirements. These may contribute to the policy's inherent paternalism or lack thereof and give evidence of perpetuating historical oppressive power relations or conversely of Native American self determination. These questions as posed above are listed discretely but are interrelated in a number of ways. Question 1 which concerns exclusion of any competent speaker, for instance, has a bearing on Question 4 in that it perpetuates lack of access to the classroom.

The question of who gets excluded from state laws on teacher authorization is the most clear-cut. At heart of the matter is federal recognition of Native American groups. The issue is quite prominent in Native American communities. The mention of the passage of California AB 544 at the 2009 Language is Life conference, as witnessed by this author, was met with negative reaction by members of non-federally recognized tribal members in attendance. The decision to extend credentialing only to federally recognized tribes was a blow. A significant number of the groups in attendance working to revitalize their languages were from unrecognized tribes in California.

Federal recognition is a complex and controversial issue within the communities. It is a powerful symbol of US government control over Native

American affairs. A group of native Hawaiians has reacted to this colonializing policy with rejection of the entire concept. Claiming that accepting federal recognition is an acceptance of a subjugated existence, they have worked to defeat the Akaka bill in Hawaii (Stop the Akaka Bill). The exasperated/outraged reaction of many unrecognized tribes is that they know hey exist even if the federal government doesn't want to know it. The reality of federal recognition is that it opens access to US government funding and contract negotiations. It is essentially the proof of existence in the eyes of the federal government (Mather 2003).

The outline of historical policies towards Native American groups in an earlier section explains the rationale for recognition. It is a necessary remedy for the earlier policy of termination and other causes for which tribes were never acknowledged to begin with (Mather 2003). While some groups were able to have termination reversed or were never terminated, the remainder have had to apply for federal recognition to get any benefits from the US government. For a good discussion of the problematic issues involved in federal recognition see R. Paschal (1991). For the concerns of this paper it is important to understand that the requirement of federal recognition can function as a hindrance to language revitalization. The federal recognition process is often impossible to complete or satisfy for many smaller groups who lack the necessary financial resources or documentation. Some of these groups are in need of help to preserve their languages. Smaller groups may have greater need for language help than larger ones. The federal recognition requirement simply makes these state policies on credentialing less responsive to many real needs for language survival.

State authorization to teach in public schools may be too demanding for potential teachers who are fluent speakers of Native American language. Authorization, in the form of credentialing, certification, or licensing, of teachers who teach in public schools is widely recognized as a positive development in ensuring a quality education (Darling-Hammond *et alii* 2001). It insures that those who teach in the public system are versed in teaching techniques and theories and have had classroom experience. However, it is a very education intensive process which potential teachers must go through. It is time consuming and work intensive. This takes time energy and resources. It also trains teachers to fit into the current system which may have discriminatory laws about language of instruction. This would be a problem for teachers hoping to teach Native American languages. Furthermore, the process would be too cumbersome for many remaining speakers who may be elderly and not have the desire or stamina to return to school. The time issue is also a concern, since it is important to get speakers into the classrooms as soon as possible due to declines in language.

POLICIES

For the purposes of this analysis I have chosen to examine the policies of ten states. Only ten were chosen in the interest of making this study manageable. The criteria were simply alphabetical. I selected the first half of the list in L. M. McCoy

(2003) and added California and Michigan because these are the two most recent laws to be passed. They fit neatly into the alphabetized list. An expanded collaborative paper is planned which will include all states with such policies. The states included in this study then are Alaska, Arizona, California, Hawaii, Idaho, Michigan, Minnesota, Montana, Nebraska, Nevada. In spite of the mechanical nature of selection, these states in fact represent a diversity of approaches to Native American language teacher qualifications for working in public education institutions. Some groupings are possible based on the contents of the policies. I have endeavored to present the policies in this way.

MONTANA, MINNESOTA, NEBRASKA, IDAHO, CALIFORNIA, MICHIGAN

These states' requirements for credentialing, licensing, or other authorization to teach are based almost exclusively on language competency. Thus these policies appear to implicitly respect the sovereignty of Native American tribes. However, this appearance of respect is belied by the almost ubiquitous requirement that tribes be federally recognized to be eligible. This is a problem for states in the next group as well. The problems with federal recognition will be discussed in a later section. The policies in this group differ primarily in how language competency is established.

Montana and Minnesota policies represent possibly the most uncomplicated and least intrusive approaches. Neither has explicit requirements for language testing. Since 1995, the Montana Office of Public Instruction issues a Class 7 License which authorizes the teaching of Native American language and culture (McCoy 2003). It is „Granted upon recommendation by the tribe" (http://opi.mt.gov/Cert/ index.html). Fingerprint background check is required, a standard requirement for educator licenses. For language competency assessment, the law simply defers to „tribal standards for competency and fluency." Minnesota law is similar in the lack of a testing requirement. Rather it accepts „affidavits, resolutions, or by such other methods as the board may prescribe."(McCoy 2003). However, „other such methods" does leave open the possibility for testing.

Nebraska passed the Native language teaching approval act in 1999. Verification of competence is slightly more intrusive than Montana's in that tribes are required to design a test of written and oral competence, with some content mandated by the state. Idaho and California may be paired given the fact that the California policy was modeled after the Idaho policy (Bill Analysis 2009). These two policies are essentially the same as the Nebraska policy. They are less respectful of the sovereignty of Native American tribes, however. Both specify that they only apply to federally recognized tribes. There are unrecognized tribes in both states, 37 in California and 1 in Idaho (500 Nations 1999–2011) Nebraska escapes this fate simply because all tribes within its borders are federally recognized. As in the Nebraska law, oral and written tests are required, with some content mandated by the state. The mandated content in most cases includes testing

for competence in classroom methodology. Michigan has the newest law, Public Act 168 passed in 2010. It is in substance essentially identical to California and Idaho's. The difference is one of protocol. Whereas California issues a teaching credential, Michigan recognizes a credential issued by a tribe, or other acceptable proof, as verification of language competence. A memorandum of understanding is then entered into between the board of education and the institution hiring the teacher. The memorandum of understanding allows the institution to hire an individual to teach without a Michigan teaching certificate. Michigan has 4 federally unrecognized tribes who are thus ineligible.

NEVADA, ARIZONA, ALASKA

These states have additional requirements beyond language competency. For teachers to lead a class in a Native American language in Nevada, they must also have a high school diploma or equivalent, as well as 6 semester hours in education or teaching of Native American languages. However, a competent speaker not meeting these qualifications may still teach if a licensed teacher is present in the classroom. It is worth mentioning that tribes are not the only entities authorized to assess Native American language proficiency in Nevada. A „qualified official" at a university may also assess proficiency. Whether this is usually a native speaker holding an academic position is not clear from the wording of the policy.

Arizona requirement beyond tribal assessment of language competence are quite extensive. The state requires for K-8 (optional) foreign language endorsement, elementary, secondary, or special education certificate, and 3 semester hours of teaching method training. Additionally for K-12 bilingual endorsement, bilingual education program completion (15 semester hours, which may be from another state), and a bilingual practicum or 2yrs experience.

In Alaska, a limited certificate is offered under certain conditions; if it is deemed by the school board that sufficient baccalaureate training is unavailable; if it is requested by the board; if skills have been demonstrated to the board with letters of recommendation, résumé of expertise or 4 years experience in a culture, and any additional proof requested by the board. The board may require further training upon approval. Furthermore this limited certificate is only valid in the district where it was issued.

HAWAII

The Hawaii policies stand apart from all others due to the fact that Hawaiian is an official state language. This status results in public teaching and learning opportunities in Hawaiian as required by the state constitution (Article X, section 4). Thus education policy drafted around Hawaiian language teaching are not structured as an uneasy integration of one language teaching activity into a larger

complete/entire education system. Rather, Hawaiian is integrated into the education system as a second language medium of instruction. By law, a Hawaiian college has been established at the University of Hawaii at Hilo. As part of its mission to provide quality Hawaiian medium education, the college administers a Hawaiian medium teacher training program (McCoy 2003).

SUMMARY OF FINDINGS

There is a pervasive power imbalance favoring the states over Native American tribes in matters of Native American language teaching policy. This is expressed through demands on tribes that they prove to states that the teachers they chose to teach their own people their own language are qualified to do so. Though not explicitly stated in policies, it is clear that little tribal input has been solicited in the design of these state policies (McCoy 2005). The use of federal recognition as a criterion for eligibility results in exclusion of many tribes from the benefits of limited credentialing, licensing, or certification offered by these states. Many of the tribes excluded are small and are struggling to revive their languages. In this, California is the most egregious since it has 37 nonrecognized tribes within its purview. Only Nebraska is unaffected since it has no unrecognized tribes. Some credentialing requirements remain too demanding, especially in Nevada, Arizona, and Alaska. Smaller tribal governments with few resources will be the least able to comply with even some of the least intrusive state policies due to requirements for teacher training, which require financial and other resources. In conclusion, respect for sovereignty and need for expediency are not fully recognized by many state policies.

CONCLUSION: AN ALTERNATIVE APPROACH FROM ALBERTA, CANADA

This paper concludes with the point that the US approach to authorization of Native American language teachers must not be seen as the only way to proceed. State policies may have the appearance of fairness because they employ the same procedures used for other types of alternate credentialing. This apparent fairness is upon further analysis proved to be false. The special circumstances of Native American tribes and their languages outlined in this paper have hopefully made this clear. A more respectful approach has been implemented in Canada.

Diana Steinhauer *et alii* (2010) describes the process of determining what a credentialing process should look like if the sovereignty of tribes is respected. The approach involved organizing meetings with elders from many tribal groups including Dené, Cree, Blackfoot, among others (Steinhauer *et alii* 2010). Their thoughts about credentialing were solicited in a freeform, self directed manner in these meetings. „Indigenous Knowledge" was privileged as the primary content

and driving force of the potential requirements for qualification as a Native American language teacher. Culture was not separated from language.

This model of respect for sovereignty and ownership over the tribes' language and culture is a far cry from the imposition of generic state standards of education policy onto US tribes. However, its results may not be applicable to US tribes. Many of the qualifications suggested for teachers were in fact quite rigorous. These may only be realistic in the context of tribes whose languages and cultures remain largely intact. Thus members of many US tribes, especially of the smaller tribes, would not be able to meet such high expectations. However, this process is a good demonstration of what can be done with a respectful and appropriate approach to teacher credentialing of Native American languages, or in fact of any of the world's indigenous languages.

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Abstract

Many Native American groups in the United States are working to revitalize their languages (Hinton 2008).

Native American communities have had a subordinate relationship with the US Government since the earliest days of its existence. US policy and its colonializing pressure on Native Americans have had a devastating effect on the languages and cultures, leading in many cases to their demise (Churchill 2004). Explicit and de facto language policies have contributed in large part to the impoverished current state of Native American languages. Outside of outright slaughter of Native Americans, educational policies specifically have been the most powerful tools used for eradication of the culture and language of Native Americans (Tinker 2004).

This paper examines the teacher credentialing of Native American language speakers in 9 states. The degree to which policies remedy or perpetuate historical patterns is explored. Intent and implications of these policies is analyzed in terms of real world applicability. Some policies exclude the very groups they purport to help. California AB544, for example, allows only federally recognized Native American groups to credential teachers of their languages. The credentialing process may thus remain inaccessible to Native Americans whose languages have few remaining speakers. These and other policy points are evidence of a failure to adequately address the needs of many Native American communities struggling to maintain their languages. This paper concludes with a discussion of an alternative approach to the credentialing process found in Canada.

Keywords: *teacher credentialing, language policy, education, Native American languages, revitalization, sovereignty*.

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